REMARKS

Claims 24, 25, 27, 28, 33, 34, 39 and 40 are presented for examination. The withdrawn claims 1-23, 29-32 and 35-38 have been cancelled. Claim 24 has been amended to more clearly define the claimed invention. New claims 39 and 40 dependent from claim 24 have been added to further define the assignment mechanism of claim 24.

Claims 24, 25, 33 and 34 have been rejected under 35 U.S.C. 102(e) as being anticipated by Vallabh. Claims 27 and 28 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Vallabh in view of Joseph.

These rejections are respectfully traversed for the following reasons.

Claim 24, even before the present amended, recited that the control system automatically assigns a purchase pick-up point of the multiple purchase pick-up points to the customer, based on the ID data provided by the customer.

By contrast, the reference discloses that the central controller 319 identifies the customer. Then, the controller matches the customer order to the storage container. "The system then preferably dynamically assigns the customer a particular loading station 318..."

Accordingly, the reference does not disclose that the central controller automatically assigns the loading station based on the customer's ID data, as the claim 24 required before the present amendment.

However, to more clearly define the assignment mechanism of the present disclosure, claim 24 has been amended to recite that in response to the ID data received from the identification station, the control system automatically assigns a purchase pick-up point of the multiple purchase pick-up points to the customer, and automatically releases the purchase pick-up point assigned to the customer when the ordered purchase is obtained.

As discussed above, Vallabh does not teach or suggest these features. Moreover, it is respectfully submitted that these features are not inherently present in the Vallabh teaching.

It is reminded that to establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probability or possibilities. *In re Robertson*, 169 F.3d 743, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

Vallabh discloses that the central controller 319 identifies the customer. Then, the controller matches the customer order to the storage container. Then, the system preferably dynamically assigns the customer a particular loading station 318.

As one skilled in the art would realize, the dynamic assignment of Vallabh is not necessarily performed by "the system" in response to customer's ID data received by the system from the central controller. For example, the assignment may be performed in response to an assignment command from a system operator. It is noted that Vallabh even does not disclose that the ID data are transferred from the central controller 319 to "the system."

Moreover, the dynamic assignment of Vallabh does not necessarily involve automatically releasing the loading station when the ordered purchase is obtained. For example, the loading station may be released by a system operator.

Accordingly, claim 24, as amended, is clearly defined over Vallabh.

Newly added claim 39 dependent from claim 24 specifies that the purchase pick-up point is automatically released in response to payment by the customer.

Newly added claim 40 dependent from claim 24 specifies that the purchase pick-up point is configured to enable the customer to inspect the ordered purchase, and the control system is

configured for automatically releasing the purchase pick-up point assigned to the customer after the ordered purchase is inspected.
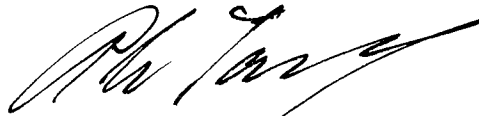
Vallabh does not teach or suggest these features.

In view of the foregoing, and in summary, claims 24, 25, 27, 28, 33, 34, 39 and 40 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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